

H0004950-1633

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: E. F. CHARLES LABERGE Serial No.: Not Yet Assigned Filed: January 12, 2004 For: SYSTEM AND METHOD FOR USE OF SHORTENING AND PUNCTURING IN AN ADAPTIVE CODE FOR BAND- AND TIME-SELECTIVE COMMUNICATIONS	 Art Unit: Unknown Examiner: Not Yet Assigned
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant wishes to make of record in the above-identified application the document or documents referenced on the attached Form PTO-1449. A copy of each reference is enclosed herewith.

The undersigned believes that this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper. However, should a first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and

charge the requisite Rule 17(p) fee to our Deposit Account No. 50-1390, under Order No. H0004950-1633 and proceed to consider this Information Disclosure Statement.

It is respectfully requested that the information be expressly considered during the prosecution of this application, and that each reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This submission does not represent that any referenced document is material or constitutes "prior art." If it should be determined that one or more of the referenced documents constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of the reference or references.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over any referenced document, should it be applied against the claims of the present application.

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1650 Tysons Boulevard
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Tel: 703/770-7693

Date: January 12, 2004

Respectfully submitted,

E.F. CHARLES LABERGE

By: 
Lawrence D. Eisen
Registration No. 41,009

Substitute for form 1449A/PTO <h1>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Not Yet Assigned
				Filing Date	January 12, 2004
				First Named Inventor	Laberge
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	H0004950-1633
Sheet	1	of	2		

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Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	Not Yet Assigned
		Filing Date	January 12, 3004
		First Named Inventor	Laberge
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	H0004950-1633
Sheet	2	of	2

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Choi et al. "A Class of Adaptive Hybrid ARQ Schemes for Wireless Links", IEEE Transactions on Vehicular Technology, Vol. 50, No. 3, May 2001, pp. 777-790	<input type="checkbox"/>
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Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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